

MEETING MINUTES

INDEPENDENT LABORATORY ADVISORY COMMITTEE

July 01, 2015

The Independent Laboratory Advisory Committee held a public meeting on July 01, 2015, beginning at 2:00 p.m. at the following locations:

VIDEO-CONFERENCE SITE:

Division of Public and Behavioral Health
4150 Technology Way, Room 303
Carson City, NV 89701

VIDEO-CONFERENCE SITE:

Rawson-Neal Psychiatric Hospital
1650 Community College Dr., Room B-193
Las Vegas, NV 89146

1. Call to order; determination of quorum

ILAC member Ed Alexander called the meeting to order at 2:02 p.m.

Present: Ed Alexander, Jason Sturtsman, Savino Sguera, Chao-Hsiung Tung, and Matt Haskin

Teleconference: Glenn Miller, David Luttrull

Absent: Dr. Sue Sisley

2. Approval of minutes

June 3, 2015 meeting.

Motion by Savino Sguera to approve meeting minutes. Second by Chao-Hsiung Tung. Unanimous.

3. Public Comment (No action may be taken on this item of the agenda.)

N/A

4. DPBH Staff Reports

a. Pesticide Policy

Chad Westom announced that the division is transitioning from the old website health.nv.gov to a more user friendly site, dpbh.nv.gov. Westom then provided an update on the revised pesticide policy and related documents. The pesticide policy and related documents in discussion today will be available on both websites and a message has been sent through Listserv. As a courtesy, the division has provided a list of acceptable pest control substances and lowest tolerances as specified by the U.S. EPA for Crop Group 19 and hops, referenced in Senate Bill (SB) 447. A list of "minimum risk" pesticides under the Federal Insecticide, Fungicide and Rodenticide (FIFRA) section 25(b) is also referenced in Senate Bill 447. Department of Agriculture has provided an official list of what they deem authorized for use. Chad reviewed the pesticide policy highlighting the revised and most significant sections.

Committee Comments:

Glenn Miller questioned why herbicides are included. They would be tested separately and possibly costs in the thousands. Jason Sturtsman questioned the costs. Chad Westom stated our division researched and herbicides are technically a pesticide. The division does not have the authority to choose.

b. Proficiency Testing Policy Update

Steve Gilbert provided an update on the recently finalized proficiency testing policy briefly reviewing each subsection. The division has identified Absolute Standards, Inc. as the only certified proficiency testing provider available. They will conduct all proficiency testing for Nevada's medical marijuana independent testing laboratories.

Committee Comments:

Jason Sturtsman asked about proficiency testing cost. Matt Haskin replied it costs about \$600 to test 4 analytes.

c. SB 447 Update

Laura Freed provided an update of how the new language in Senate Bill 447 affects the ILAC duties and responsibilities. NAC 453A.658, subsection 9, has been eliminated from ILAC's advisory statute. The ILAC is no longer required to establish a list of approved pesticides as the legislature has dictated which pesticides may be used on medical marijuana. Article III.A.c. will be eliminated from the ILAC Bylaws.

Committee Comments:

It was brought to the attention of Laura Freed by Dr. Chao-Hsiung Tung there was an error in provided memorandum; "Update of ILAC duties and responsibilities in the context of the 2015 legislature", referencing the last sentence on page 2 under "next steps." The original statement, "staff suggests that ILAC's next task is to advise the DPBH on the acceptable parts per million per 1 gram of finished medical marijuana extract, in accordance with NAC 453A.592" should include the verbiage "residual solvents".

Ed Alexander asked if the Division is assuming that residual levels of pesticides in concentrated extract are the same as in flowers? To be certain of the question, Laura Freed reiterated it, and responded she would need to check with the AG.

Haskins opined that concentrates are made from usable marijuana that has already been approved, then once it is concentrated there is no need for further pesticide analysis. Ed Alexander did not agree and was unclear whether this would be under the scope of ILAC. Laura Freed stated it is under the scope of ILAC and would be categorized under testing. The division has previously been approved to make changes in the regulations. Staff may note and submit ILAC members' concerns and suggestions.

Glenn Miller asked where in the law it specifies that all pesticides have to be measured? Laura Freed responded by reiterating we don't get to choose which of the crop groups deemed by the legislature are reasonable for testing. Chad Westom stated there are laws to abide by and testing is our responsibility, if we don't that would be a huge risk for patient safety, which is high priority for the Division.

Glenn Miller and Matt Haskin asked how the legislature could create a list of allowable pesticides but not address monitoring. That could be interpreted as: use the provided list, find the most commonly used pesticides, and then create a monitoring list to abide by.

Recommendation:

Ed Alexander recommended the Department of Agriculture attend future meetings and be available for interactive conversation.

5. Discussion and recommendation regarding edibles and concentrates; serving size and dosage.

Ed Alexander explained that this topic was listed on the agenda to begin conversation and begin gathering ideas. Matt Haskin agrees with Ed and Jason's comments. Matt added to Jason's statement, suggesting there be a standard deviation allowed. Tung stated there cannot be a standard dosage amount as this is a medicine that patients will be taking in various forms.

There was discussion of the concept of THC equivalence calculated from an average potency of cannabis flower. Matt Haskin provided the example of a patient's allowance of 70 grams of flower at an average potency of 18% THC to arrive at 12,600 mg of THC. He stated by using this concept and formula we can determine an equal allowable amount of both concentrates and edibles based on total milligrams of THC.

Laura Freed asked the committee if the committee wanted the Divisions to consider concentrates, flower, and infused products separately, and if so, in what order. Matt Haskin responded yes and suggested an additional category could be topicals. Edibles and concentrates would be first. Ed Alexander stated it seems the flower has already been addressed.

Recommendation: Jason Stutsman recommended edible product to be no more than 10 milligrams with the option that each serving being wrapped individually or demarcated in increments of 10 or fewer milligrams of activated THC and the total product be no more than 100 milligrams with servings suggested on product label and the option to not be individually wrapped in 10 mg serving sizes. These could include products such as chocolates, candies, cookies, and brownies. However, certain patients need specialty doses beyond 100 mg, therefore an exception could be made for cannabis capsules, topicals, tinctures, suppositories, and applicator RSO oils to be as high as 200 mg in the total product with no limits on it being wrapped individually or demarcated into increments of 10 or fewer milligrams of activated THC.

Recommendation: Steve Gilbert recommended that the Division work with the ILAC committee to create a labeling policy. The policy may possibly be available at next month's meeting; the topic will be included on the agenda.

6. Public Comment (No action may be taken on this item of the agenda.)

Public comment was taken. Jeff Anchorman request the following comment be reflected in the minutes. Jeff Anchorman, speaking as a toxicologist, he questioned the wisdom of carcinogenic compounds found off the testing list. He referenced an organ study in which a high percentage of edibles tested positive for pesticides. He went on to question Steve Gilbert about laboratory honesty and proficiency testing.

7. Adjourn

The meeting adjourned at 4:37 p.m.